The Cochin Factories Bill.

Mr. Thomas Manjuran *(Government Advocate and Law Officer).*—I beg to move that the Cochin Factories Bill may be finally passed.

Mr. T. S. Narayana Ayyar *(Secretary to Government).*—I second it.

Mr. T. S. Balarama Ayyar (*Trichur North*).—In rising to support this important piece of legislation I wish to say a few words. I congratulate the Government for the very expeditious way in which this important piece of legislation has been placed on the Statute Book. But it is very unfortunate that the Bill had to be considered in a very thin House. This is certainly not the occasion on my part to adjudge the blame as between this side of the House and the Government. But I feel certain that if the Bill had been considered in a full House some of my more important amendments would have been accepted, especially the one relating to the employment of adolescents in factories.

Adolescents are persons above 15 and below 17. Unless they are certified by the Civil Surgeon as fit to be worked as adults they will be regarded as children. That means they will have to revert as half-timers. I deliberately use the word revert. According to the present law persons above 14 can work as full timers. The moment this Bill is brought into force all those who are above 14 and below 17 and who are now working as full timers will have to be thrown out if the Factory owners are not prepared to keep them as half timers. It is no fault of the factory owners if these adolescents are thrown out. Keeping two persons will be more costly than one person. The Civil surgeons have to certify that they are fit to work as adults. The only request that I have to make is that no hard and fast rule should be laid in the matter of certifying a person to be fit to work as an adult. There may be certain factories where the work of adolescents may be much lighter than the work in other factories. In the same factories the works may be different. The work of a fuel carrier is certainly heavier than the work of a spindle boy. The Civil Surgeon before he actually certifies whether or not any particular adolescent is fit to be employed as an adult should go into the question of the nature of the work he is doing in the factory. Merely by looking at the stature of the adolescent concerned, if the certificate is issued, I am sure much hardship will result. I may point out that

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even the English Factories Act, 1901, when they raised the age of children from 9 to 12 contained the following provision. 'A child under the age of 12 years must not be employed in a workshop or factory unless he or she is lawfully so employed at the commencement of this Act'. Here I am not talking of children. I am talking about adolescents whose case deserves more serious consideration.

Mr. Thomas Manjuran *(Government Advocate and Law Officer).*—Is that in force now?

Mr. T. S. Balarama Ayyar *(Trichur North).*—After three years it was taken away, being obviously unnecessary after the transition period.

Mr. Thomas Manjuran *(Government Advocate and Law Officer).*—Was a similar provision introduced in British India?

Mr. T. S. Balarama Ayyar *(Trichur North).*—But they had six years' notice. But it is no use crying over spilt milk. I appeal to the Government that that fact should be remembered by them when the certificates are issued. A satisfactory working of this Regulation, no doubt depends upon the rules that have to be framed under this Regulation. No doubt there are the Madras Factory rules, the Bombay rules, the Bengal rules, etc., but I maintain that the difficulty will be all the more great when a selection has to be made from a lot of rules widely different from one another.

Mr. Thomas Manjuran *(Government Advocate and Law Officer).*—These rules will be published in the Gazette for public criticism.

Mr. T. S. Balarama Ayyar *(Trichur North).*—Yes. Listen! I therefore cannot too strongly commend the Government to accept the recommendation of the Select Committee to constitute a committee of officials and non-officials to go into the question of drafting the rules and not entrust the work merely to officials.

A satisfactory working of this Regulation equally depends upon the Inspector. No doubt the legislation is intended to better the condition of labour but the aim should be to achieve that without unduly harassing the employer. With the reduction of the number from 50 to 20 to constitute a factory, the number of factories that will be brought under the Regulation will be large and many of those new establishments that will be brought under the enactment will be owned by persons of little education. Without any wilful ignorance of the provisions

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of law even from those who are owners of factories at present are likely to misunderstand the provisions, as the changes and additions to the new Factory Act are so many and so varying. In this connection I have only to commend to the notice of the Government the observations which the Royal Commission on Factory Labour made, namely 'no prosecution under this legislation should be undertaken till a knowledge of its provisions became very general, and that it should be done only for such offences as are committed after a previous warning'.

One more observation and I close; sufficient time should be given of the date after which or on which this Regulation will come into force, so that the factory owners may be able to make proper arrangements to bring their own factory into line with the provisions of the Factory Regulation. With these few words I support the motion that the Bill be taken up and finally passed.

Motion was put and carried.

The Cochin Village Panchayat Regulation Amendment Bill—Sec. 56.

Mr. Thomas Manjuran *(Government Advocate and Law Officer).*—I rise to move that the Cochin Village Panchayat Regulation Amendment Bill, Sec. 56, be finally passed.

Mr. T. S. Narayana Ayyar *(Secretary to Government).*—I second it.

Motion was put and carried.

Amendments to S. Os. 31 & 32 of the Council.

Mr. Thomas Manjuran *(Government Advocate and Law Officer).*—I rise to move that the Amendments to Standing Orders 31 and 32 of the Cochin Legislative Council be adopted.

Mr. T. S. Narayana Ayyar *(Secretary to Government).*—I second it.

Motion was put and carried.

The Cochin Agriculturist's Temporary Relief Bill.

Mr. K. M. Ibrahim *(Cranganuur).*—Mr. President, Sir, I move that the Cochin Agriculturists Temporary Relief Bill be taken up for consideration. This Bill, Sir, and its provisions were completely and exhaustively discussed in this House in

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